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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/506,676	02/17/2000	David E. Kronk	FLO1372-026	6566

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EXAMINER

WON, YOUNG N

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 10/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/506,676

Applicant(s)

KRONK, DAVID E.

Examiner

Young N Won

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

1. Claims 1-20 have been examined.

### ***Specification***

2. The disclosure is objected to because of the following informalities: Page 7, lines 6-7: "weather station 44" should be changed to "46" and "weather station interface control server 46" should be changed to "44".

Appropriate correction is required.

### ***Claim Objections***

3. Claim 16 is objected to because of the following informalities: Claim 16 on page 30, line 6, states "The method of claim 8". Claim 8 is a system, thus a method of system would constitute 35 USC 112 2<sup>nd</sup> paragraph or 35 USC 101. It will be assumed in this office action that a typing error has occurred and that the applicant intended "The method of claim 9". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 9-13, and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Joao (US 5917405 A).

Independent:

As per claim 9, Joao teaches of a method (see col.3, line 6) for controlling environment maintenance equipment (see col.1, lines 18-20, 22, 25, & 28, and col.11, lines 59-67 to col.12, lines 1-4) comprising the steps of: connecting an interface control server to an environment maintenance device (see col.13, lines 34-49); installing a first message control at said interface control server (see col.76, lines 7-13 and lines 29-30); installing a second message control at a client (see col.76, lines 15-20); entering a message at said client; communicating said message from said client to said interface control server in accordance with said first message control and said second message control; and controlling said environment maintenance device at said interface control server in accordance with said message(see col.76, lines 15-16).

As per claim 17, Joao teaches of an apparatus (see col.3, line 6) for controlling an environment maintenance device (see col.1, lines 18-20, 22, 25, & 28, and col.11, lines 59-67 to col.12, lines 1-4), comprising: an interface control server (see col.6, lines 2-8) adapted for communication with said environment maintenance device (see col.76, lines 7-14); a messaging control at said interface control server for receiving messages from a client (see col.76, lines 7-13 and lines 29-30); and a

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connection between said interface control server and said environment maintenance device (see col.13, lines 34-35), said connection adapted for communicating a command to said environment maintenance device in accordance with a message from said client (see col.29, lines 10-17).

Dependent:

As per claims 10 and 18, Joao further teaches wherein said environment maintenance device is selected from the group consisting of irrigation sprinklers and controllers, weather stations, constant pressure pump stations, compressor stations, water supply pump stations, sewage controllers, snow guns and controllers, mowers, chair lifts, and snow grooming vehicles (see col.13, line 42).

As per claim 11, Joao further teaches wherein said client is operational at a device selected from the group consisting of personal computers, laptop computers, touch-screen computers, telephones, radios, and personal digital assistants (see col.15, lines 23-26).

As per claims 12 and 19, Joao further teaches wherein said message exchanged between said client and said interface control server is a text message (see col.16, lines 30-37).

As per claim 13, Joao further teaches of comprising the step of installing a system control and data acquisition control at said client for interacting with said interface control servers (see col.13, lines 21-23).

As per claim 15, Joao further teaches of comprising the step of registering said first and second message controls with a site manager (see col.9, lines 37-41).

As per claim 16, Joao further teaches wherein said interface control server is in a first domain and said client is in a second domain (see col.6, lines 2-8: "and/or").

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (US 5917405 A).

As per claim 1, Joao teaches of a system (see col.3, lines 13-17) for controlling environment maintenance equipment (see col.1, lines 18-20, 22, 25, & 28, and col.11, lines 59-67 to col.12, lines 1-4) comprising: an interface control servers (see col.6, lines 2-8) for controlling environment maintenance devices (see col.1, lines 18-20, 22, 25, & 28, and col.11, lines 59-67 to col.12, lines 1-4); a client for communicating with said interface control servers (see col.5, lines 61-65); and a messaging control at said client (see col.5, lines 66-67 to col.6, line 1) and at each of said plurality of interface control servers (see Fig.5b, #511 and col.6, line 2)for exchanging messages between said client and each of said plurality of interface control servers (see col.6, lines 16-18). Joao does not explicitly teach of a plurality of server. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ a plurality of servers within the system of Joao, because Joao teaches that his method and apparatus can be implemented in many different systems such as anti-theft and/or theft deterrent system, home equipment system, commercial office and/or premise equipment system, and many more (see col.1, lines 18-28), thus if more than one system was to be implemented or utilized, more than one server would be required.

As per claim 2, Joao further teaches wherein environment maintenance devices are selected from the group consisting of irrigation sprinklers and controllers, weather stations, constant pressure

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pump stations, compressor stations, water supply pump stations, sewage controllers, snow guns and controllers, mowers, chair lifts, and snow grooming vehicles (see col.13, line 42).

As per claim 3, Joao further teaches wherein said client is operational at a device selected from the group consisting of personal computers, laptop computers, touch-screen computers, telephones, radios, and personal digital assistants (see col.15, lines 23-26).

As per claim 4, Joao further teaches wherein messages exchanged between said client and each of said plurality of interface control servers are text messages (see col.16, lines 30-37).

As per claim 5, Joao further teaches of comprising a system control and data acquisition control at said client for interacting with said interface control servers (see col.13, lines 21-23).

As per claim 7, Joao further teaches of comprising a site manager for registering said messaging controls (see col.9, lines 37-41).

As per claim 8, Joao further teaches wherein said client and said interface control server operate in different domains (see col.6, lines 2-8: "and/or").

6. Claims 6, 14, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (US 5917405 A) in view of Davies et al. (US 6108701 A).

As per claims 6, 14, and 20, Joao does not explicitly teach wherein messages are exchanged between said messaging controls in accordance with TCP/IP protocol. Davies teaches of wherein messages are exchanged between said messaging controls in accordance with TCP/IP protocol (see abstract). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Davies within the system of Joao, by implementing message exchange using the TCP/IP protocol within the environment maintenance equipment control system, because TCP/IP protocol is a protocol used in communication information via the World Wide Web (see Joao: col.6, lines 2-8).

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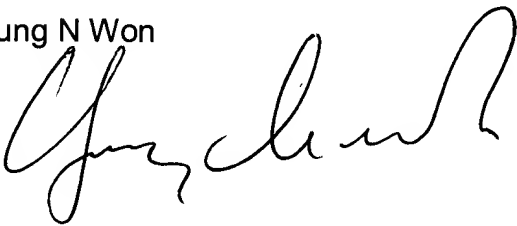
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Young N Won whose telephone number is 703-605-4241. The examiner can normally be reached on M-Th: 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Young N Won



October 2, 2002



AYAZ SHEIKH  
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